

106TH CONGRESS
2D SESSION

S. J. RES. 56

Proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 1 (legislative day, SEPTEMBER 22), 2000

Mr. DURBIN introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein),* That the fol-
4 lowing article is proposed as an amendment to the Con-
5 stitution of the United States, which shall be valid to all
6 intents and purposes as part of the Constitution when
7 ratified by the legislatures of three-fourths of the several

1 States within seven years after the date of its submission
2 to the States for ratification:

3 “ARTICLE —

4 “SECTION 1. The President and Vice President shall
5 be elected by the people of the several States and the dis-
6 trict constituting the seat of government of the United
7 States.

8 “SECTION 2. The electors in each State shall have
9 the qualifications requisite for electors of Representatives
10 in Congress from that State, except that the legislature
11 of any State may prescribe less restrictive qualifications
12 with respect to residence and Congress may establish uni-
13 form residence and age qualifications. Congress shall es-
14 tablish qualifications for electors in the district consti-
15 tuting the seat of government of the United States.

16 “SECTION 3. The persons having the greatest number
17 of votes for President and Vice President shall be elected,
18 if such number be at least 40 per centum of the whole
19 number of votes cast for such offices in the general elec-
20 tion. If no persons have such number, a runoff election
21 shall be held 21 days after the general election. In the
22 runoff election, the choice of President and Vice President
23 shall be made from the persons who received the two high-
24 est numbers of votes for each office in the general election.

1 “SECTION 4. The times, places, and manner of hold-
2 ing such elections, and entitlement to inclusion on the bal-
3 lot for the general election, shall be prescribed in each
4 State by the legislature thereof; but Congress may at any
5 time by law make or alter such regulations. Congress shall
6 prescribe by law the time, place, and manner in which the
7 results of such elections shall be ascertained and declared.

8 “SECTION 5. Each elector shall cast a single vote
9 jointly applicable to President and Vice President in any
10 such election. Names of candidates shall not be joined un-
11 less they shall have consented thereto and no candidate
12 shall consent to his or her name’s being joined with that
13 of more than one other person.

14 “SECTION 6. Congress may by law provide for the
15 case of the death of any candidate for President or Vice
16 President before the day on which the President-elect or
17 the Vice President-elect has been chosen; and for the case
18 of a tie in any such election.

19 “SECTION 7. Congress shall have the power to imple-
20 ment and enforce this article by appropriate legislation.

21 “SECTION 8. This article shall take effect one year
22 after the twenty-first day of January following ratifica-
23 tion.”.

○